

## TWELFTH DAY.

(Tuesday, March 12, 1918.)

The House met at 10 o'clock a. m.  
pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Beard.	Meador.
Beasley.	Mendell.
Bennette.	Metcalf.
Bertram.	Miller of Austin.
Blackburn.	Monday.
Blackmon.	Moore.
Bland.	Morris.
Bledsoe.	Murphy.
Brown.	Murrell.
Bryan.	Nordhaus.
Burton of Rusk.	O'Banion.
Butler.	Osborne.
Cadenhead.	Parks.
Canales.	Peyton.
Carlock.	Pillow.
Clark.	Poage.
Cope.	Raiden.
Cox of Bee.	Reeves.
Cox of Ellis.	Richards.
Davis of Dallas.	Robertson.
Davis of Grimes.	Roemer.
Davis of Harris.	Rogers.
Davis	Sackett.
of Van Zandt.	Sallas.
De Bogory.	Sentell.
Dodd.	Schlesinger.
Dudley.	Schlosshan.
Dunnam.	Seawright.
Estes.	Smith of Bastrop.
Fairchild.	Smith of Hopkins.
Fly.	Spencer.
Ford.	Spradley.
Greenwood.	Sneed.
Haidusek.	Stephens.
Hardey.	Stewart.
Harris.	Strayhorn.
Henderson.	Swope.
Hill.	Taylor.
Holaday.	Templeton.
Holland.	Terrell.
Hudspeth.	Thomas.
Jones.	Thomason
Laas.	of El Paso.
Lacey.	Thomason
Laney.	of Nacogdoches.
Lange.	Thompson
Lanier.	of Hunt.
Lee.	Thompson
Lindemann.	of Red River.
McComb.	Tillotson.
McCord.	Tilson.
McCoy.	Traylor.
McDowra.	Upchurch.
McFarland.	Veatch.
McMillin.	Wahrmund.
Mathis.	Walker.

White.  
Williams  
of McLennan.  
Williford.

Wilson.  
Woods.  
Yantis.

Absent.

Bagby.  
Beason.  
Crudgington.  
Johnson of Ellis.  
O'Brien.

Pope.  
Sholars.  
Tinner.  
Valentine.

Absent—Excused.

Atlee.	King.
Baker.	Lackey.
Bass.	Lowe.
Bedell.	Miller of Dallas.
Bell.	Neill.
Burton of Tarrant.	Smith of Scurry.
Cates.	Vaughan.
Denton.	Williams
Johnson of Blanco.	of Brazoria.

A quorum was announced present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Lindemann, for yesterday, on motion of Mr. Thomason of El Paso.

Mr. Williams of Brazoria, for yesterday and today, on motion of Mr. Smith of Hopkins.

Mr. Denton, for yesterday and today, on motion of Mr. Smith of Hopkins.

Mr. Bell, for last Saturday and yesterday, on motion of Mr. Templeton.

Mr. O'Banion, for yesterday afternoon, on motion of Mr. Upchurch.

Mr. Fairchild, for yesterday, on motion of Mr. Swope.

Mr. Cates, for today, on motion of Mr. Swope.

Mr. Atlee, for today, on motion of Mr. Tillotson.

Mr. Schlosshan, for yesterday, on motion of Mr. McMillin.

Mr. Davis of Grimes, for yesterday, on motion of Mr. Davis of Harris.

The following members were granted leaves of absence on account of sickness:

Mr. Pillow, for yesterday, on motion of Mr. Fairchild.

Mr. Burton of Tarrant, for last Friday and Saturday and yesterday, on motion of Mr. Nordhaus.

Mr. Bass, for today, on motion of Mr. Schlesinger.

Mr. Smith of Scurry, for last Friday

and Saturday and yesterday, on motion of Mr. De Bogory.

#### BILLS ORDERED PRINTED.

On motion of Mr. De Bogory, it was ordered that House bill No. 68, reported adversely, be printed.

On motion of Mr. Mendell, it was ordered that House bill No. 27 be printed.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Dodd, it was ordered that House bill No. 56 be not printed.

On motion of Mr. Bledsoe, it was ordered that House bill No. 79 be not printed.

On motion of Mr. Thomason of El Paso, it was ordered that House bill No. 88 be not printed.

#### MOTION TO PRINT HOUSE BILL NO. 29.

Mr. Schlesinger moved that House bill No. 29, reported adversely, be printed. The motion was lost.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Murphy and Mr. Holland:

H. B. No. 98, A bill to be entitled "An Act to amend Article 1197, Title 17 of the Code of Criminal Procedure of the State of Texas, relating to delinquent children so as to include and further prescribe the procedure in cases of boys and girls, fixing penalties, and declaring an emergency."

Referred to Committee on Juvenile Reforms.

By Mr. Mendell:

H. B. No. 99, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State, authorizing the payment of said miscellaneous items on the taking effect of this act, making additional appropriations for the support of the State Government, for the fiscal year ending August 31, 1918, and August 15, 1919, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Davis of Dallas, Mr. Laney, Mr. Miller of Dallas and Mr. Parks:

H. B. No. 100, A bill to be entitled

"An Act providing for the appointment of official stenographers for grand juries by the judges of the district courts presiding over same, and prescribing their qualifications and duties, and providing for their compensation, and prescribing the time and method of transcribing and furnishing to the district or county attorneys of such counties or judicial districts, of the evidence and testimony adduced and given before such grand juries in the investigation of crimes and offenses coming before such bodies, and declaring an emergency."

Referred to Committee on Reforms in Civil Procedure.

By Mr. Pillow:

H. B. No. 101, A bill to be entitled "An Act to amend Article 7828 of the Revised Statutes of Texas, 1911, providing the Governor shall appoint nine persons as public weighers in every city which receives annually 100,000 bales of cotton."

Referred to Committee on Agriculture.

By Mr. Fairchild and Mr. Pillow:

H. B. No. 102, A bill to be entitled "An Act to amend Article 6618, Title 115, of the Revised Civil Statutes of the State of Texas, 1914, fixing the passenger fares upon all railroads in this State at two and one-half (2½) cents per mile, with an allowance of baggage to each passenger not to exceed 100 pounds in weight; and providing that in no case shall children under ten years of age be charged a higher rate of fare than one and one-half (1½) cents per mile; providing further, that all railroads shall be required to keep their ticket offices open one-half hour prior to the departure of trains, and declaring an emergency."

Referred to Committee on Common Carriers.

By Mr. Tillotson:

H. B. No. 103, A bill to be entitled "An Act providing for the designation by the State Depository Board of a clearing bank or banks through which the State Treasurer shall clear and collect all checks, drafts, bills of exchange or similar instruments, defining the duties of such clearing bank or banks; prescribing the duties of State departments, schools or institutions, relative to the depositing of receipts of their respective offices with the State Treasurer; prescribing the manner in which such receipts shall be handled by the State Treasurer; designating and defin-

ing the duties of clearing banks selected and authorized to convert into cash and hold on deposit in their respective institutions such receipts so placed with such banks through the State Treasurer; providing further, that such clearing banks shall act as State depositories, and may act as special depositories for surplus funds of the Treasury on which said banks shall pay the State a stipulated minimum rate of interest on daily balances; providing further, that such clearing bank shall honor, at par value, all deficiency warrants as may be presented, for which such bank shall be permitted to charge a stipulated maximum rate of interest from the date same was payable; providing further, that all laws now in effect governing State depositories not in conflict herewith shall apply to and govern such clearing banks, and declaring an emergency.

Referred to Committee on Banks and Banking.

#### RELATING TO SURVEY OF CAPITOL SYNDICATE LANDS.

Mr. Harris offered the following resolution:

Whereas, There was appropriated by the Thirty-fourth Legislature twenty-five thousand dollars to be expended under the direction of the Commissioner of the General Land Office to make a resurvey of the lands of the Capitol Syndicate for the purpose of finding the amount of excess lands in these surveys and make a report to the next succeeding Legislature; and

Whereas, Nearly four years has elapsed and no report has ever been made; now be it

Resolved, That the Commissioner of the General Land Office be requested to report to this body the result of such survey, showing the amount of excess lands and the amount expended in making same.

Signed—Harris, Raiden.

The resolution was read second time.

Mr. Bryan moved to lay the resolution on the table subject to call.

The motion to table was lost.

Question recurring on the resolution, it was adopted.

#### RELATING TO RECLAMATION OF ARID LANDS.

Mr. Canales offered the following resolution:

Whereas, There is now pending in the

Senate of the United States a bill known as Senate bill No. seven hundred and fifty-eight (758) by Senator Chamberlain, and in the House of Representatives, known as House bill No. 9406; the purpose of said bill is the reclamation of arid lands in the United States by issuing local bonds by reclamation districts organized under said bill, and the substitution of said bonds by the Federal government for United States bonds; and

Whereas, The enactment of this legislation would place at least a million acres of now arid land under irrigation in Texas; and

Whereas, This is a war measure, pure and simple in the way of increased production of food stuffs; and

Whereas, An increased production is earnestly desired by every patriotic Texan, as well as every true American in this republic, therefore be it

Resolved by the House of Representatives of the Thirty-fifth Legislature, That it is the expressed desire of this House that the Texas delegation in Congress be requested to vote for and support said measure and the Chief Clerk of the House is hereby required to transmit a copy of this resolution to every member of the Texas delegation in Congress.

Signed—Canales, Thomason of El Paso, Dudley.

The resolution was read second time and was adopted.

#### THANKING GENERAL RUCKMAN.

Mr. O'Banion offered the following resolution:

Whereas, Gen. Ruckman, commander in charge of the Southern department, has shown a high sense of duty and honor in his jealous protection of the soldiers of the Union stationed in Texas, therefore be it

Resolved, That it is the sense of this body that we express to him our appreciation of the service he has rendered to the American cause.

Signed—O'Banion, Spencer, Sneed.

The resolution was read second time and was adopted.

#### RELATING TO SUNDAY AMUSEMENTS.

Mr. Nordhaus offered the following resolution:

Whereas, When the cantonments were organized in Texas word came from Washington from the War Department asking the towns and cities where these cantonments were located that moving picture shows and theaters be kept open

on Sundays, and the request has been granted by all the towns and cities where soldiers and cantonments are now located, therefore be it

Resolved, That the House of Representatives and the Senate concurring ask the Governor to submit a bill amending the present Sunday law in reference to moving picture shows and theaters so they can operate lawfully.

Signed—Nordhaus, Walker, Laney, Hill, Holland, Mathis, Morris, O'Brien, Sallas, Moore, Dunman.

The resolution was read second time.

Mr. Dodd moved to table the resolution.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—65.

Beard.	O'Banion.
Beasley.	Peyton.
Bennette.	Raiden.
Bertram.	Reeves.
Blackburn.	Richards.
Blackmon.	Roemer.
Bledsoe.	Rogers.
Bryan.	Sackett.
Burton of Rusk.	Sentell.
Butler.	Schlosshan.
Canales.	Seawright.
Cope.	Smith of Bastrop.
Cox of Bee.	Smith of Hopkins.
Davis of Dallas.	Spencer.
Davis of Grimes.	Sneed.
Davis of Harris.	Stephens.
Davis	Stewart.
of Van Zandt.	Taylor.
De Bogory.	Templeton.
Dodd.	Thomas.
Estes.	Thomason
Fly.	of El Paso.
Henderson.	Thomason
Holaday.	of Nacogdoches.
Hudspeth.	Thompson
Jones.	of Hunt.
Lacey.	Tilson.
Lanier.	Traylor.
Lee.	Veatch.
McComb.	White.
McCord.	Williams
McCoy.	of McLennan.
McDowra.	Williford.
McMillin.	Wilson.
Murrell.	Yantis.

Nays—38.

Brown.	Ford.
Cadenhead.	Greenwood.
Clark.	Haidusek.
Cox of Ellis.	Harris.
Dudley.	Hill.
Dunnam.	Holland.

Laas.	Parks.
Laney.	Pillow.
Lange.	Poage.
McFarland.	Sallas.
Mathis.	Schlesinger.
Meador.	Spradley.
Mendell.	Strayhorn.
Metcalfe.	Thompson
Miller of Austin.	of Red River.
Monday.	Tillotson.
Moore.	Upchurch.
Morris.	Wahrmund.
Murphy.	Walker.
Nordhaus.	

Present—Not Voting.

Lindemann.

Absent.

Bagby.	Osborne.
Beason.	Pope.
Bland.	Robertson.
Carlock.	Sholars.
Crudgington.	Swope.
Fairchild.	Terrell.
Hardey.	Tinner.
Johnson of Ellis.	Valentine.
O'Brien.	Woods.

Absent—Excused.

Atlee.	King.
Baker.	Lackey.
Bass.	Lowe.
Bedell.	Miller of Dallas.
Bell.	Neill.
Burton of Tarrant.	Smith of Scurry.
Cates.	Vaughan.
Denton.	Williams
Johnson of Blanco.	of Brazoria.

#### REQUESTING GOVERNOR TO SUBMIT SUBJECT FOR LEGISLATION.

Mr. McCoy offered the following resolution:

Whereas, Our country is now at war in the world-wide struggle. A crisis confronts the earth. America has been called upon to settle and adjust the affairs of the world. Our President is pleading for the greatest efficiency along all lines. The question of labor is a question that is giving greatest concern. The men and boys who now hang around pool halls and billiard halls should be devoting their time and energy to the producing of food and feed, therefore be it

Resolved by this Legislature, That we ask the Governor to submit to this Legislature a bill prohibiting pool and billiard halls from operating in Texas.

The resolution was read second time.



Yeas and nays were demanded, and the resolution was adopted by the following vote:

## Yeas—57.

Beard.	O'Banion.
Bennette.	Poage.
Bertram.	Raiden.
Blackburn.	Reeves.
Blackmon.	Rogers.
Bryan.	Sackett.
Burton of Rusk.	Sentell.
Butler.	Schlosshan.
Cadenhead.	Seawright.
Canales.	Smith of Bastrop.
Clark.	Smith of Hopkins.
Cope.	Spencer.
Cox of Bee.	Sneed.
Davis of Dallas.	Stewart.
Davis of Harris.	Terrell.
Dodd.	Thomas.
Estes.	Thomason
Ford.	of Nacogdoches.
Henderson.	Thompson
Holaday.	of Hunt.
Lacey.	Tilson.
Lee.	Traylor.
McCord.	Upchurch.
McCoy.	Veatch.
McDowra.	White.
McFarland.	Williford.
McMillin.	Wilson.
Meador.	Woods.
Metcalf.	Yantis.
Murrell.	

## Nays—43.

Beasley.	Moore.
Bland.	Morris.
Bledsoe.	Murphy.
Brown.	Nordhaus.
Cox of Ellis.	O'Brien.
Dunnam.	Parks.
Fairchild.	Pillow.
Fly.	Robertson.
Greenwood.	Roemer.
Haidusek.	Sallas.
Harris.	Schlesinger.
Hill.	Stephens.
Holland.	Strayhorn.
Hudspeth.	Taylor.
Jones.	Templeton.
Laas.	Thomason
Laney.	of El Paso.
Lange.	Thompson
Lanier.	of Red River.
Lindemann.	Wahrmund.
Mathis.	Walker.
Mendell.	Williams
Monday.	of McLennan.

## Present—Not Voting.

Carlock.	McComb.
De Bogory.	Spradley.

## Absent.

Bagby.	Beason.
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Crudgington.	Peyton.
Davis of Grimes.	Pope.
Davis	Richards.
of Van Zandt.	Sholars.
Dudley.	Swope.
Hardey.	Tillotson.
Johnson of Ellis.	Tinner.
Miller of Austin.	Valentine.
Osborne.	

## Absent—Excused.

Atlee.	King.
Baker.	Lackey.
Bass.	Lowe.
Bedell.	Miller of Dallas.
Bell.	Neill.
Burton of Tarrant.	Smith of Scurry.
Cates.	Vaughan.
Denton.	Williams
Johnson of Blanco.	of Brazoria.

Mr. McCoy moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

## MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor which were read to the House:

## Governor's Office,

Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of a majority of the members of both the Senate and House of Representatives, I submit for your consideration the subject of amending the Election Laws of Texas.

Respectfully submitted,

W. P. HOBBY,  
Governor of Texas.

## Governor's Office,

Austin, Texas, March 11, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. Thos. Cox, I submit for your consideration An Act to amend Section 9 of Chapter 17, Special Laws passed at the First Called Session of the Thirty-third Legislature entitled "San Patricio County Road System—Creating," authorizing said county or any political subdivision or defined district thereof to issue bonds not exceeding forty years from date of issuance.

Respectfully submitted,

W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 11, 1918.  
To the Thirty-fifth Legislature in Fourth  
Called Session.

Gentlemen: At the request of the Department of Agriculture, I submit for your consideration An Act to authorize the commissioners court to purchase poisons and other accessories for the purpose of destroying prairie dogs, rats, coyotes, wolves, wild cats, gophers, ground squirrels, English sparrows and ravens.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 8, 1918.  
To the Thirty-fifth Legislature in Fourth  
Called Session.

Gentlemen: Pursuant to the recommendation of the joint legislative investigating committee, and at the request of Hon. George B. Terrell of Cherokee county, I submit for your consideration the following subject:

"An Act to provide for the sale and transfer to the United States of all property owned by the State of Texas situated on the gulf coast of Texas and on the Mexican border of Texas along the Rio Grande river and used in the State Quarantine Service, providing for a commission to negotiate the sale of said property to the proper authorities of the United States; providing that the expenses of said commission shall be paid out of the expense funds of their respective departments, authorizing the Governor to execute the deeds and convey the property to the United States; providing that the positions and employment of officers and employes in charge and using such property so conveyed shall terminate; providing for the payment into the State Treasury to the general revenue of all money realized from the sale of such properties and filing of statements in the office of the Comptroller of Public Accounts."

I also submit for your information the communication received by me from the Hon. W. G. McAdoo, Secretary of the Treasury of the United States, explaining what course is necessary to pursue in event the State quarantine properties are transferred to the Federal government, and that the quarantine service be performed by the government.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Treasury Department,  
Washington, January 5, 1918.  
Hon. W. P. Hobby, Governor of Texas,  
Austin, Texas.

My Dear Sir: In acknowledgment of your letter of December 26, this department is pleased to submit the following statements in response to the various queries contained in your letter:

1. The Act of February 15, 1893, provides "that whenever the proper authorities of a State shall surrender to the United States the use of the buildings, disinfecting apparatus at a State quarantine station, the Secretary of the Treasury shall be authorized to receive them and to pay a reasonable compensation to the State for their use, if in his opinion they are necessary to the United States." It has been the uniform policy of this department to exercise this authority in effecting the transfer of State or local quarantine stations to the United States government.

There is no lump sum appropriation available for the reimbursement to the State government for property so transferred, the necessary funds being secured either through the enactment of special legislation or the inclusion of the item in some appropriation bill, and should the decision be made for the transfer of the Texas State quarantine stations to the United States government the department would be pleased to take steps to secure the necessary appropriation. The price paid has generally been that mutually agreed upon by representatives of the State and government after a joint appraisal.

2. The United States quarantine laws provide that the Public Health Service shall, under the direction of the Secretary of the Treasury, "co-operate with and aid State and municipal boards of health in the execution and enforcement of the rules and regulations of such boards \* \* \* to prevent the introduction of contagious and infectious diseases in the United States from foreign countries," etc.

Furthermore, it appears that the quarantine regulations of the State of Texas are practically a paraphrase of the United States quarantine laws, except that the former include trachoma as a quarantinable disease. The regulations governing the medical inspection of aliens, however, provide for the exclusion of cases of trachoma, and in view of the above, it would appear that all interests of the State Board of Health would be amply provided for in event

the State relinquished supervision of the international quarantine function.

3. Since 1883 the quarantine function at some sixty-eight different places has been transferred to national control. There is attached hereto a memorandum relative to such transfers. At present the State of New York and the State of Maryland enforce their own quarantine, but in both instances steps have been taken for the transfer of these stations to Federal control. In 1916 the State Legislature of New York created a commission to negotiate for the transfer of the State quarantine establishment to the United States with power to effectuate such transfer, and negotiations have continued, including the fixing of the price for the New York quarantine station by appraisalment by representatives of the State and the national government, the conclusion of negotiations now being dependent solely upon appropriation by Congress of the sum agreed upon by the appraisers. Pending consummation of the transfer, however, an officer of the Public Health Service is acting as quarantine officer of the port of New York.

As to the transfer of the Baltimore quarantine station, it may be stated that the city council of Baltimore in 1916 passed an ordinance authorizing the transfer of that station to the Federal government. The property has been appraised by representatives of the city and the Federal government, and the sundry civil bill now being considered by Congress contains an item providing for the reimbursement of the city of Baltimore for the quarantine station.

The State of Pennsylvania maintains an inspection station on the Delaware river near Philadelphia, the Federal quarantine station being located in the lower river on Reedy Island, and vessels proceeding to Philadelphia are subject to double quarantine inspection of a similar nature to that which is now practiced at Galveston. With the exceptions stated above, however, all State and local quarantine functions have been turned over to national control.

4. The department has consistently taken the stand that the prevention of the introduction of quarantinable diseases from foreign ports into the United States is essentially one of the functions of the national government. Since the benefits derived therefrom are not merely local in effect, but are enjoyed by the entire country, upon the whole

people should fall the maintenance of such quarantine stations. Other arguments for national control of international quarantine include the enforcement of regulations and preventive measures in a uniform manner so that one port shall not be discriminated against in favor of another, availability of a large and mobile corps of trained quarantine officers, whose experience in quarantinable diseases and knowledge thereof has been increased by duty in foreign countries and insular possessions where such diseases mainly prevail, increased facilities for co-operation of other branches of the Federal government, chiefly the immigration and customs service, availability to the Public Health Service of sanitary reports from consular representatives in foreign countries, and ability of the government to better observe the obligations of international treaties, and to demand reciprocal action on the part of foreign signatories of such treaties.

Trusting that this information covers the scope of your inquiries, and with assurances of my appreciation for the interest which you have taken in the adjustment of the quarantine situation along the Texas border, I am,

Sincerely yours,  
(Signed) W. G. McADOO,  
Secretary.

#### List of Quarantine Stations Which Have Been Transferred from State or Municipal to National Control.

In 1883 quarantine stations were established under national auspices at Ship Island, Miss., and on Blackbeard Island, Sapelo Sound, Ga., the latter station being known as the South Atlantic quarantine station.

In 1888 a site was purchased (Fisherman's Island) for the quarantine station at Cape Charles, Va., the boarding station being maintained at Fort Monroe, Va.

In 1889 the Delaware Breakwater quarantine was ceded by the State of Delaware.

In 1890 maritime quarantine matters at San Diego, Cal., were absorbed as a national function, the site for the national quarantine station at that port having been purchased from private parties.

In 1890 (by act of Congress of April 30, 1890, which act is known as the organic act for Hawaii) the quarantine station, as well as the quarantine functions at Honolulu, T. H., and other

ports in the Hawaiian Islands, were transferred to national control.

In 1892 maritime quarantine functions at Port Townsend, Wash., were transferred to national control.

In 1893 the quarantine station at Reedy Island, Del., was erected. (This station affords protection to Philadelphia, Pa.)

The year 1899 marked the transfer of quarantine functions at the ports of Astoria, Ore., Savannah, Ga., and Southport, S. C., to national control.

In 1899 the quarantine system of Porto Rico was placed under the operation of the national government.

In 1900 the quarantine station at San Francisco, Cal., was turned over to national control.

In 1900 Brunswick, Ga., relinquished its quarantine function in favor of the Treasury Department.

In 1900 the quarantine system of the Philippine Islands was placed under the operation of the national government.

In 1901 the whole quarantine system for the State of Florida was transferred to national control.

In 1903 the quarantine function at Portland, Me., was transferred to national control.

In 1907 the following ports relinquished their quarantine functions: Mobile, Ala., and New Orleans, La.

In 1908 similar action was taken at the ports of Charleston, Georgetown, Beaufort, and Port Royal, S. C.

In 1910 a site was acquired from the War Department for the construction of a quarantine station at Galveston, Texas.

In 1912 the quarantine function at Providence, R. I., was transferred to national control.

In 1915 the quarantine function at Boston, Mass., was transferred to national control.

In 1917 the quarantine system of the Virgin Islands was transferred to national control.

#### REPORT OF COMMITTEE TO INVESTIGATE CERTAIN EXPENDITURES.

Mr. Bledsoe called up from the Speaker's table, for consideration at this time, the special report printed on pages 151-154 of the House Journal, relating to certain expenditures by members of the Legislature.

The Speaker laid the report before the House.

On motion of Mr. Bledsoe the report was adopted.

#### REQUESTING ADDITIONAL COMMITTEE ROOMS.

Mr. Poage offered the following resolution:

Resolved, That the Speaker be requested to furnish more rooms for the meetings of the various committees.

Signed—Poage, Pillow, Jones, Canales, Dudley, Dodd, Monday.

The resolution was read second time and was adopted.

#### HOUSE BILL NO. 79 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 79, A bill to be entitled "An Act creating and incorporating the Close City Independent School District, in Garza county, Texas, and defining the boundaries thereof; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing for an assessor and collector of taxes thereof; and providing for a board of equalization of said school district; providing an election of trustees thereof, and providing for an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 61 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 61, A bill to be entitled "An Act to amend Article 1028, Revised Civil Statutes of 1911, dealing with the fixing of rates for public utility corporations; providing the length of time such rates shall be effective and providing that such rates shall be reasonable ones, and declaring an emergency."

The bill having been read second time on yesterday.

On motion of Mr. Mendell the bill was laid on the table subject to call.



HOUSE BILL NO. 60 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 60, A bill to be entitled "An Act creating and incorporating the Highland Independent School District in McLennan county, etc."

The bill was read the third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—102.

Beasley.	McMillin.
Bennette.	Mathis.
Bertram.	Meador.
Blackburn.	Mendell.
Blackmon.	Metcalfe.
Bland.	Miller of Austin.
Bledsoe.	Morris.
Brown.	Murphy.
Bryan.	Murrell.
Burton of Rusk.	Nordhaus.
Butler.	O'Brien.
Cadenhead.	Osborne.
Canales.	Parks.
Carlock.	Peyton.
Clark.	Poage.
Cope.	Raiden.
Cox of Bee.	Reeves.
Davis of Dallas.	Richards.
Davis of Grimes.	Rogers.
Davis of Harris.	Sackett.
Davis	Sallas.
of Van Zandt.	Sentell.
De Bogory.	Schlesinger.
Dodd.	Schlosshan.
Dudley.	Seawright.
Dunnam.	Smith of Bastrop.
Estes.	Smith of Hopkins.
Fairchild.	Spencer.
Fly.	Spradley.
Ford.	Sneed.
Greenwood.	Stephens.
Haidusek.	Stewart.
Harris.	Strayhorn.
Henderson.	Swope.
Holaday.	Taylor.
Holland.	Templeton.
Hudspeth.	Thomas.
Jones.	Thomason
Laas.	of El Paso.
Lacey.	Thomason
Laney.	of Nacogdoches.
Lange.	Thompson
Lanier.	of Hunt.
Lee.	Thompson
Lindemann.	of Red River.
McComb.	Tillotson.
McCord.	Tilson.
McCoy.	Traylor.
McDowra.	Upchurch.
McFarland.	Veatch.

Walker.	Wilson.
Williams	Woods.
of McLennan.	Yantis.
Williford.	

Nays—2.

Cox of Ellis.	O'Banion.
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Absent.

Bagby.	Pope.
Beard.	Robertson.
Beason.	Roemer.
Crudgington.	Sholars.
Hardey.	Terrell.
Hill.	Tinner.
Johnson of Ellis.	Valentine.
Monday.	Wahrmund.
Moore.	White.
Pillow.	

Absent—Excused.

Atlee.	King.
Baker.	Lackey.
Bass.	Lowe.
Bedell.	Miller of Dallas.
Bell.	Neill.
Burton of Tarrant.	Smith of Scurry.
Cates.	Vaughan.
Denton.	Williams
Johnson of Blanco.	of Brazoria.

HOUSE BILL NO. 65 ON THIRD  
READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 65, A bill to be entitled "An Act creating the Follett Independent School District of Lipscomb county; providing for an election of a board of trustees, and declaring an emergency."

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—96.

Beard.	Davis of Harris.
Beasley.	Davis
Bennette.	of Van Zandt.
Bertram.	De Bogory.
Blackburn.	Dodd.
Blackmon.	Dudley.
Bland.	Dunnam.
Brown.	Estes.
Bryan.	Fairchild.
Burton of Rusk.	Fly.
Butler.	Ford.
Cadenhead.	Greenwood.
Canales.	Haidusek.
Carlock.	Henderson.
Clark.	Holaday.
Cope.	Holland.
Davis of Dallas.	Hudspeth.
Davis of Grimes.	Jones.

Laas.	Schlosshan.
Lacey.	Seawright.
Laney.	Smith of Bastrop.
Lanier.	Smith of Hopkins.
Lee.	Spencer.
Lindemann.	Spradley.
McComb.	Sneed.
McCord.	Stephens.
McCoy.	Stewart.
McDowra.	Swope.
McFarland.	Taylor.
McMillin.	Templeton.
Mathis.	Thomas.
Meador.	Thomason
Mendell.	of El Paso.
Miller of Austin.	Thomason
Monday.	of Nacogdoches.
Morris.	Thompson
Murphy.	of Hunt.
Murrell.	Thompson
Nordhaus.	of Red River.
O'Brien.	Tillotson.
Osborne.	Tilson.
Parks.	Traylor.
Peyton.	Upchurch.
Poage.	White.
Raiden.	Williams
Reeves.	of McLennan.
Richards.	Williford.
Rogers.	Wilson.
Sackett.	Woods.
Sallas.	Yantis.
Schlesinger.	

Nays—2.

'Cox of Bee. O'Banion.

Present—Not Voting.

Cox of Ellis.

Absent.

Bagby.	Pope.
Beason.	Robertson.
Bledsoe.	Roemer.
Crudgington.	Sentell.
Hardey.	Shelars.
Harris.	Strayhorn.
Hill.	Terrell.
Johnson of Ellis.	Tinner.
Lange.	Valentine.
Metcalfe.	Veatch.
Moore.	Wahrmund.
Pillow.	Walker.

Absent—Excused.

Atlee.	King.
Baker.	Lackey.
Bass.	Lowe.
Bedell.	Miller of Dallas.
Bell.	Neill.
Burton of Tarrant.	Smith of Scurry.
Cates.	Vaughan.
Denton.	Williams
Johnson of Blanco.	of Brazoria.

(Mr. Mendell in the chair.)

## HOUSE BILL NO. 52 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 52, A bill to be entitled "An Act to amend Article 889, passed at the Regular Session of the Thirty-fourth Legislature, amending Chapter 6, Title 13 of the Penal Code of 1911, and which amendment relates to the closed season for killing doves, and declaring an emergency."

The bill was read second time.

Mr. Tilson offered the following amendment to the bill:

Amend H. B. No. 52, Section 1, Article 889a by striking out in line 18 the word "lawful" and insert in lieu thereof the word "unlawful." Also in line 19 all after the word "time."

Mr. O'Banion offered the following substitute for the amendment:

Amend the bill by striking out all of Article 889a and substituting therefor the following:

"Article 889a. From and after the passage of this act it shall be unlawful to kill doves in this State at any time, except between the first day of November and the first day of February of each year."

The substitute was lost.

Mr. Davis of Harris offered the following substitute for the amendment:

Amend the bill No. 52 by substituting the word "September" for "December," Section 1, line 20.

The substitute was lost.

Question recurring on the amendment, it was lost.

Mr. Spradley moved to postpone further consideration of the bill indefinitely.

Mr. Parks moved the previous question on the motion to postpone indefinitely and the engrossment of the bill, and the main question was ordered.

Question first recurring on the motion to postpone indefinitely, yeas and nays were demanded.

The motion to postpone indefinitely was lost by the following vote:

Yeas—46.

Bennette.	Dudley.
Blackburn.	Ford.
Brown.	Greenwood.
Canales.	Holaday.
Cox of Ellis.	Holland.
Davis of Dallas.	Jones.
Davis of Harris.	Lee.
De Bogory.	McComb.
Dodd.	McCoy.

Nordhaus.	Swope.
O'Banion.	Terrell.
Parks.	Thomas.
Peyton.	Thomason
Poage.	of El Paso.
Raiden.	Thompson
Reeves.	of Red River.
Rogers.	Upchurch.
Sallas.	Veatch.
Schlesinger.	Walker.
Smith of Hopkins.	Williams
Spradley.	of McLennan.
Sneed.	Williford.
Stephens.	Wilson.
Stewart.	Woods.
Strayhorn.	

Nays—59.

Beard.	McMillin.
Beasley.	Mathis.
Bertram.	Meador.
Blackmon.	Mendell.
Bland.	Metcalf.
Bryan.	Miller of Austin.
Burton of Rusk.	Monday.
Cadenhead.	Morris.
Carlock.	Murphy.
Clark.	Murrell.
Cope.	O'Brien.
Cox of Bee.	Osborne.
Davis of Grimes.	Richards.
Davis	Robertson.
of Van Zandt.	Roemer.
Dunnam.	Sackett.
Estes.	Schlosshan.
Fairchild.	Seawright.
Fly.	Smith of Bastrop.
Haidusek.	Taylor.
Hardey.	Templeton.
Harris.	Thomason
Henderson.	of Nacogdoches.
Hill.	Thompson
Laas.	of Hunt.
Lacey.	Tillotson.
Laney.	Tilson.
Lindemann.	Traylor.
McCord.	Wahrmund.
McDowra.	White.
McFarland.	Yantis.

Present—Not Voting.

Lange.

Absent.

Bagby.	Pillow.
Beason.	Pope.
Bledsoe.	Sentell.
Butler.	Sholars.
Crudgington.	Spencer.
Hudspeth.	Tinner.
Johnson of Ellis.	Valentine.
Lanier.	Williams
Moore.	of Brazoria.

Absent—Excused.

Atlee.

Baker.

Bass.	King.
Bedell.	Lackey.
Bell.	Lowe.
Burton of Tarrant.	Miller of Dallas.
Cates.	Neill.
Denton.	Smith of Scurry.
Johnson of Blanco.	Vaughan.

Question next recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 52 was passed to engrossment by the following vote:

Yeas—68.

Beard.	McMillin.
Beasley.	Meador.
Bertram.	Mendell.
Blackburn.	Metcalf.
Blackmon.	Miller of Austin.
Bland.	Monday.
Bryan.	Morris.
Burton of Rusk.	Murphy.
Cadenhead.	Murrell.
Carlock.	Nordhaus.
Clark.	O'Brien.
Cope.	Osborne.
Cox of Bee.	Richards.
Cox of Ellis.	Robertson.
Davis of Grimes.	Roemer.
Davis	Rogers.
of Van Zandt.	Sackett.
Dunnam.	Schlesinger.
Estes.	Schlosshan.
Fairchild.	Seawright.
Fly.	Smith of Bastrop.
Haidusek.	Strayhorn.
Hardey.	Swope.
Harris.	Taylor.
Henderson.	Templeton.
Hill.	Thomason
Holland.	of Nacogdoches.
Laas.	Thompson
Lacey.	of Hunt.
Laney.	Tillotson.
Lange.	Tilson.
Lindemann.	Traylor.
McCord.	Wahrmund.
McCoy.	White.
McDowra.	Yantis.
McFarland.	

Nays—39.

Bennette.	Lee.
Bledsoe.	McComb.
Brown.	Moore.
Canales.	O'Banion.
Davis of Dallas.	Parks.
Davis of Harris.	Peyton.
De Bogory.	Poage.
Dodd.	Raiden.
Dudley.	Reeves.
Ford.	Sallas.
Greenwood.	Sentell.
Holaday.	Smith of Hopkins.
Jones.	Sneed.

Stephens.	Upchurch.
Stewart.	Veatch.
Terrell.	Walker.
Thomas.	Williams
Thomason	of McLennan.
of El Paso.	Williford.
Thompson	Wilson.
of Red River.	Woods.

Absent.

Bagby.	Pillow.
Beason.	Pope.
Butler.	Sholars.
Crudgington.	Smith of Scurry.
Hudspeth.	Spencer.
Johnson of Ellis.	Tinner.
Lanier.	Valentine.

Absent—Excused.

Atlee.	King.
Baker.	Lackey.
Bass.	Lowe.
Bedell.	Miller of Dallas.
Bell.	Neill.
Burton of Tarrant.	Vaughan.
Cates.	Williams
Denton.	of Brazoria.
Johnson of Blanco.	

Paired.

Mr. Spradley (present), who would vote "nay," with Mr. Mathis (absent), who would vote "yea."

Mr. Tilson moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

#### MESSAGES FROM THE GOVERNOR.

Mr. S. Raymond Brooks, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Governor, which were read to the House:

Governor's Office.

Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Messrs. Suiter and Bedell, I submit for your consideration the following subjects: "An Act to amend Sections 12 and 16 of the Special Road Law for Smith county, Texas, passed at the Regular Session of the Thirty-third Legislature and known as Chapter 70 of the Special Laws of said Thirty-third Legislature; and also to amend Section 3 of Chapter 8 of the Special Road Law for Smith county,

Texas, passed at the Regular Session of the Thirty-fourth Legislature."

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,

Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Messrs. Collins and Stewart, I submit for your consideration An Act to validate the sale of certain public domain made by the State on February 21, 1907.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,

Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. L. C. Stewart, I submit for your consideration An Act creating the Mauriceville Independent School District in Orange county, Texas.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,

Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Messrs. Thomason of El Paso and Dudley, I submit for your consideration the subject of an act to amend Article 921 of the Code of Criminal Procedure of the State of Texas adopted at the Regular Session of the Thirty-second Legislature in 1911.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,

Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth Called Session:

Gentlemen: At the request of Senator J. C. McNealus, I submit for your consideration the following subject: "An Act to amend Article 921, Chapter 5, Title 22 of the Revised Civil Statutes of Texas relating to appeals from the corporation courts and adding thereto Article 921a providing that in cities of 90,000 population or over incorporated under special charters and situated in counties containing 125,000 population or over for appeals from the corporation



courts to the Court of Criminal Appeals of Texas."

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Hon. W. M. Fly, I submit for your consideration An Act granting the State Superintendent of Public Instruction authority to extend teachers' certificates.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Mr. Geo. B. Terrell, I submit for your consideration An Act to amend Article 5894 of Title 92 of the Revised Civil Statutes of 1914 prescribing uniform weights and containers for both flour and meal, also prescribing standard weights per bushel for cured sweet potatoes, onions, Spanish peanuts, Virginia runner or bunch peanuts and Jumbo peanuts.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the suggestion of the Attorney General and the injured party, I submit for your consideration the enactment of a law permitting John H. Elliott to sue the State of Texas for personal injuries alleged to have been received while an employe of the Texas State Railroad.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Messrs. Terrell, Hardey, Atlee, Canales, Harris, Fly and Tillotson, I submit for your consideration an act to amend Sections 2 and 8 of Chapter 181, Acts of the Regular Session of the Thirty-fifth Leg-

islature, as amended by Chapter 6, Acts of the Third Called Session of the Thirty-fifth Legislature, by adding thereto Section 2b, providing for standard "grades and packs" of other fruits and vegetables, prohibiting common carriers from receiving fruits or vegetables for shipment or transporting the same in violation of the provisions of this act, prescribing penalties for violation of this law.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Senator C. B. Hudspeth, I submit for your consideration the enactment of a law amending Article 2585, Chapter 4, Title 47, of the Revised Civil Statutes of Texas, 1911, relating to the qualifications of drainage district commissioners and their qualifications, compensation, terms of office, providing for their election instead of appointment upon petition of voters and providing the duties of such officers.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: At the request of Senator C. B. Hudspeth, I submit for your consideration the enactment of a law to amend Section 14, Chapter 87, Acts of the Thirty-fifth Legislature, Regular Session, 1917, relating to the appointment of a tax assessor and collector of water improvement districts.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth Called Session.

Gentlemen: I beg to submit for your consideration the following subject: An act to amend the law fixing the salary of the Superintendent of Public Buildings and Grounds, and to equalize the salaries of watchmen employed, and to provide adequate appropriation for the work under the direction of the Su-

perintendent of Public Buildings and Grounds.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 12, 1918.

To the Thirty-fifth Legislature in Fourth  
Called Session.

Gentlemen: I beg to submit for your consideration the following subject: "An Act to amend Article 1197, Title 17, of the Code of Criminal Procedure of the State of Texas, relating to delinquent children so as to include and further prescribe the procedure in cases of boys and girls; fixing penalties."

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

#### BILL AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and their captions had been read, the following enrolled bill and resolution:

H. B. No. 9, "An Act to prohibit the barter, sale or exchange in time of war of spirituous, vinous, or malt liquors or medicated bitters capable of producing intoxication, within ten miles of any camp or concentration point where soldiers, sailors, marines or aviators are being trained in time of war for military service in the army or navy of the United States, and to provide suitable punishment for a violation of the terms of said act."

H. C. R. No. 5, Providing for a committee of the Legislature to visit the meeting of the National Council of Defense.

#### SENATE BILL NO. 17 ON PASSAGE TO THIRD READING.

The Speaker laid before the House, on its passage to third reading,

S. B. No. 17, A bill to be entitled "An Act to amend Article 1361, Chapter 2, of the Revised Civil Statutes of Texas of 1911, so as to permit the organization or reorganization of unorganized or disorganized counties upon a petition expressing such desire, signed by not less than seventy-five qualified voters, residing in such unorganized or disorganized county, and declaring an emergency."

The bill having been read second time on March 7.

S. B. No. 17 was then passed to a third reading.

#### HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Thomason of El Paso:

H. B. No. 104, A bill to be entitled "An Act to amend Article 3003 of Chapter 7, Title 49, of the Revised Civil Statutes of Texas of 1911, relating to officers of election assisting a voter in preparing a ballot; and also amending Article 258, Chapter 2, Title 6, of the Revised Penal Code of Texas of 1911, so as to provide a penalty for the violation of said articles of the Revised Civil Statutes as the same is hereby amended."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Metcalfe, Mr. McCoy, Mr. Blackmon, Mr. Sackett, Mr. Beasley and others:

H. B. No. 105, A bill to be entitled "An Act to provide that women may vote in all primary elections and nominating conventions in Texas; prescribing qualifications for such voters; providing for registration in cities of 10,000 and over, and declaring an emergency."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Thompson of Hunt and others:

H. B. No. 106, A bill to be entitled "An Act providing for holding primary elections by political parties, and for nominating candidates for office therein; prescribing dates and places for such elections and providing persons to hold the same; prescribing qualifications for voters therein; providing regulations for holding same, making returns and declaring the results thereof; providing methods for contesting nominations and the time for filing same; providing for State, district, county and precinct conventions, and for dates and places for holding same; defining violations of this act, and prescribing penalties therefor; repealing all laws in conflict therewith, and declaring an emergency."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Butler:

H. B. No. 107, A bill to be entitled "An Act amending Article 3093 of Chapter 10 of Title 49 of the 1911 Re-

vised Statutes of Texas, so as to provide that no one shall vote in a primary election or convention unless he is a citizen of the United States."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Cox of Bee:

H. B. No. 108, A bill to be entitled "An Act to amend Section 9 of Chapter 17, Special Laws, passed at the First Called Session of the Thirty-third Legislature, entitled 'San Patricio County Road System—Creating,' authorizing said county or any political subdivision or defined district thereof to issue bonds not exceeding forty years from the date of issuance, with such options of redemption as may be fixed by the commissioners court, or to issue such bonds to mature serially in approximately equal portions every year for not exceeding forty years, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Thompson of Hunt and Mr. Yantis:

H. B. No. 109, A bill to be entitled "An Act providing for reports of receipts and disbursements by candidates and their campaign committees in primary elections; limiting their expenses and specifying purposes for which such disbursements may be made; defining violations of this act, and providing penalties therefor; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. De Bogory:

H. B. No. 110, A bill to be entitled "An Act to amend Article 3086, Chapter 10, Title 49, Revised Civil Statutes of 1911, so as to provide that no candidate at a primary election for a State or district office shall be declared the nominee of any political party unless he is legally qualified to hold such office, has complied with all the requirements of law, and received a majority of the votes cast for all candidates for such office at such primary election; providing for the holding of a second primary election and fixing the date for the holding of all second primary elections, and declaring an emergency."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Haidusek, Mr. Fly and Mr. Spencer:

H. B. No. 111, A bill to be entitled

"An Act to amend Article 3096 of the Revised Civil Statutes of Texas, adopted in 1911, so as to read as follows: 'Article 3096. Ballot, primary, no symbol, etc., on except, etc.; ballot without test not counted, etc.'"

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. O'Brien and Mr. Sholars:

H. B. No. 112, A bill to be entitled "An Act to provide for the creation of corporations to prevent the pollution of streams and to that end empowering such corporations to gather, impound and store water containing salt or other substances produced in the drilling or operation of oil wells or other wells; and authorizing such corporations to charge reasonable rates for service; and prohibiting discrimination between patrons; and conferring upon such corporations the power of condemnation of necessary land and rights; authorizing corporations interested in the proper disposition of such waters to subscribe for, own and vote stock in corporations created hereunder, and declaring an emergency."

Referred to Committee on Private Corporations.

By Mr. Blackmon and Mr. Metcalfe:

H. B. No. 113, A bill to be entitled "An Act to authorize the commissioners court to purchase poisons and other accessories for the purpose of destroying prairie dogs, rats, coyotes, wolves, wild cats, gophers, ground squirrels, English sparrows and ravens; giving the commissioners court the authority to sell at cost or give such poisons to all persons residing in the county, to be used for such purposes, and providing procedure for the distribution and use of such poisons, and creating an emergency."

Referred to Committee on Agriculture.

By Mr. Pillow:

H. B. No. 114, A bill to be entitled "An Act to appropriate the sum of \$150,000, or so much thereof as may be necessary, out of the money in the State Treasury, not otherwise appropriated, to be used for the purpose of reimbursement of the owner or owners for the value of any cotton or cotton products infested with the pink boll worm and which may be destroyed by the Commissioner of Agriculture of this State under authority of law, and to reimburse any cotton grower or growers who may reside within any zone or

zones promulgated under the authority of the Governor forbidding the planting or growing of cotton during a specified period of time from any loss sustained by such parties in being refused permission to plant and grow cotton for a period of years; giving rules estimating the measure of damages; authorizing the Governor to appoint three reputable citizens of the State who reside outside of said cotton zones to assess the damages; providing for the manner of hearing and assessing damages and establishing the procedure of ascertaining such damages, giving any dissatisfied applicant for damages the right of appeal; providing for the payment of court costs in certain instances, and making appropriation for the expenses of the board in carrying into effect the provisions of said law, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Terrell et al.:

H. B. No. 115, A bill to be entitled "An Act to amend Sections 2 and 8 of Chapter 181, Acts of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 6, Acts of the Third Called Session of the Thirty-fifth Legislature, by adding thereto Section 2b, providing for standard 'grades and packs' of other fruits and vegetables; prohibiting common carriers from receiving fruits and vegetables for shipment or transporting the same in violation of the provisions of this act; prescribing penalties for violation of this law, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Terrell:

H. B. No. 116, A bill to be entitled "An Act to amend Article 5894 of Title 92 of the Revised Civil Statutes of 1914 prescribing uniform weights and containers for both flour and meal; also prescribing standard weights per bushel for cured sweet potatoes, onions, Spanish peanuts, Virginia Runner or Bunch peanuts, and Jumbo peanuts, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Thomason of El Paso and Mr. Dudley:

H. B. No. 117, A bill to be entitled "An Act to amend Article 921 of the Code of Criminal Procedure of the State of Texas adopted at the Regular Session of the Thirty-second Legislature in 1911, and declaring an emergency."

Referred to Committee on Reforms in Criminal Procedure.

By Mr. Stewart:

H. B. No. 118, A bill to be entitled "An Act creating the Mauriceville Independent School District in Orange county, Texas, etc."

Referred to Committee on Education.

By Mr. Stewart:

H. B. No. 119, A bill to be entitled "An Act to validate the sale of certain public domain made by the State on February 21, 1907, and declaring an emergency."

Referred to Committee on Public Lands and Land Office.

By Mr. Fly and Mr. Sneed:

H. B. No. 120, A bill to be entitled "An Act granting the State Superintendent of Public Instruction authority to extend teachers' certificates, naming the conditions under which they may be extended, and declaring an emergency."

Referred to Committee on Education.

By Mr. Bedell:

H. B. No. 121, A bill to be entitled "An Act to amend Sections 12 and 16 of the Special Road Law for Smith county, Texas, etc., and declaring an emergency."

Referred to the Committee on Roads, Bridges and Ferries.

By Mr. Moore:

H. B. No. 122, A bill to be entitled "An Act granting permission to John H. Elliott to bring suit against the State of Texas in the District Court of Anderson county, Texas, for damages for personal injuries received by him while on duty as a bridge carpenter in the employ of the Texas State Railroad; providing that such suit may be filed within two years after this act takes effect; and providing that such cause of action shall not be barred until two years after this act takes effect; and providing for the method of serving process and for procedure governing the trial and determination of such suit, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Terrell, Mr. Fly, Mr. Seawright, Mr. Davis of Grimes:

H. B. No. 123, A bill to be entitled "An Act to provide for the sale and transfer to the United States of all property owned by the State of Texas situate on the Gulf coast of Texas and on the Mexican border of Texas along the Rio Grande



river and used in the State quarantine service, providing for a commission to negotiate the sale of said property to the proper authorities of the United States, providing that the expenses of said commission shall be paid out of the expense funds of their respective departments, authorizing the Governor to execute the deeds and convey the property to the United States, providing that the positions and employment of officers and employes in charge of and using such property so conveyed shall terminate, providing for the payment into the State Treasury to the general revenue of all money realized from the sale of such properties and filing of statements in the office of the Comptroller of Public Accounts, and declaring an emergency."

Referred to Committee on Public Health.

#### STATEMENT OF ACTIVITIES OF THE TEXAS STATE COUNCIL OF DEFENSE.

On motion of Mr. Woods, the following statement was ordered printed in the Journal:

The Council of Defense was organized May, 1917; \$10,000 was appropriated for the fiscal year ending August 31, 1917; about \$6000 was used by the Council, the other reverting to the State. This was due to the fact largely that we were operating only about three months, and had not gotten our machinery thoroughly in operation.

The State has been organized into County Councils, there being more than 200 of these. These County Councils were suggested by the various county judges and appointed by the State Council. They consist each of seven or more members.

One of the first matters which the State Council took up for consideration was that of loyalty and it was our organization which discovered and placed in the hands of the officers the scheme of the I. W. W.'s in the Abilene section of the State, and which resulted in the trial of a large number of those people. This information was furnished by the State Council of Defense.

Our military committee, of which Hon. Robert L. Ball is chairman, rendered a very valuable service in the recruiting of the National Guard and of the army and navy during last spring, summer and fall. The secretary of that committee went to Austin and devoted his entire time to assisting the Adjutant General of Texas in this work.

We have handled the car shortage

proposition in regard to the shipping out of cattle in West Texas and have obtained priority orders for cars last fall and winter on the shipments of feed and food stuffs to Texas, and particularly the drouth stricken section. We have dealt with the border troubles and have at times obtained the suspension of the Burnett Immigration Law for the purpose of getting Mexican labor at a time when it was much needed.

We have inaugurated a system of bringing buyer and seller together so that our people might know where they could obtain food and feed in Texas and other States, the names of the people and the prices at which it might be bought.

There are a great many matters which we have attended to as a body which are of a secret nature but absolutely necessary to the safety and well being of our people.

We have issued various bulletins on many subjects of interest, many of which were sent to us by the Council of National Defense and by the other authorities at Washington. We have been in correspondence with every other State Council in the Union, and have availed ourselves of the best those States have offered. The authorities at Washington and the Council of National Defense have asked us to publish a large volume of literature, and circulate, which we have done where we could, but have refrained from publishing many matters because of lack of funds. We carried on active campaigns for the planting of fall crops, and large wheat crop, which but for the drouth would have been the greatest in the history of the State. A number of counties in East Texas which have not planted wheat in several years did so at our suggestion.

Our publicity committee is handling the dissemination of useful information from Washington, and the volume of the same is surprisingly large. The four-minute-men have been organized through that committee, and a speaker's bureau and an active campaign of education on the war is being carried on by the committee throughout the State. The expense is heavy, notwithstanding Mr. Hirsch, the chairman, has practiced the strictest economy.

Mr. Frank Kell, chairman of the food supply and conservation committee, in conjunction with the Governor, is now carrying on the most vigorous campaign in the history of the State having in view the planting of crops and a maximum production of feed and food stuff. Mr.

Kell's committee is now employing a secretary and a large number of stenographers, at a great expense, but this campaign will only necessarily last during the planting season. This committee has been very active from the organization of the State Council, and Mr. Kell, the chairman, is one of the best posted men on grain and agricultural products in the State.

Our labor committee headed by Mr. H. W. Lewis, with headquarters in Smithville, Texas, is handling the problem of labor distribution in this State, and is also handling labor problems for the Federal government. He is now carrying on a campaign to enlist our quota of 250,000 skilled mechanics to be used in shipbuilding. Our quota has just about been raised. He is supervising labor conditions and the housing of laboring people at Orange, Beaumont, Houston, Rockport and other shipbuilding points in the State. He employs a force of about fourteen people, and is now recruiting at the request of the War Department a regiment of railroad builders for immediate service in France. All this expense has to be borne by our Council, and all other State councils are required to bear the expense of similar campaigns. Mr. Lewis has established free employment bureaus in all of the principal cities in Texas and has a complete zone system of labor distribution. We requested the Federal government to bear this expense, but were told that the expenses on the Federal government were so heavy that it was thought that the various States would be patriotic enough to take care of this part of the expense, and the Federal government had no appropriation to pay for the same.

The health and sanitation committee is doing a most excellent work to improve health conditions in the State, and particularly with reference to the shipbuilding points, and the sanitary and housing conditions of the laborers at these points. This committee is also giving special attention to the stamping out of malaria, and the Surgeon General of the United States has more than once commended the splendid work being done by this committee. This committee is in constant touch with all the health officers in each county in the State.

We have enlisted the assistance of

the extension department of the University and through it are distributing instructive lessons to the rural schools by means of picture slides.

The main office of the secretary at San Antonio is fraught with a tremendous amount of work. It is in daily correspondence with the National Council of Defense and with other departments at Washington, with other State Councils and with more than two hundred county councils in the State, besides the multitude of other correspondence. Sometimes the mail is hauled in in an express wagon. War maps, posters, pamphlets and other useful literature in large quantities have been printed and distributed by the secretary's office along with a number of bulletins setting forth useful objects to be considered by the various county councils. The actual traveling expenses and hotel bills of the members in attending one meeting of the State Council is approximately \$800.

The estimate of required funds, based upon an economical administration, are as follows:

Labor committee .....	\$15,000.00
Publicity committee (U. of T. work included) .....	12,500.00
Food supply and conservation committee .....	7,500.00
Sanitation and medicine committee .....	2,000.00
Secretary's office (including expense of members) .....	15,000.00
<b>Total .....</b>	<b>\$52,000.00</b>

J. C. HURD,  
Secretary Texas State Council of Defense.

#### BILL RE-REFERRED.

On motion of Mr. Sackett, House bill No. 93 was re-referred to the Committee on State Affairs.

#### ADJOURNMENT.

Mr. Cope moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Holland moved that the House adjourn until 9:30 o'clock a. m. tomorrow.

Mr. O'Banion moved that the House adjourn until 10 o'clock a. m. tomorrow.

The motion of Mr. O'Banion prevailed, and the House accordingly, at 12:05 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

## APPENDIX.

## REPORT OF COMMITTEE ON CRIMINAL JURISPRUDENCE.

Committee Room,  
Austin, Texas, March 12, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Criminal Jurisprudence, to whom was referred House bill No. 27, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass. Messrs. Woods and Williford gave notice of minority report.

WILLIAMS of McLennan, Chairman.

## REPORTS OF COMMITTEE ON IRRIGATION.

Committee Room,  
Austin, Texas, March 12, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Irrigation, to whom was referred House bill No. 70, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Bledsoe has been appointed to make a full report thereon.

CANALES, Chairman.

Committee Room,  
Austin, Texas, March 13, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Irrigation, to whom was referred House bill No. 28, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, with amendments. Mr. Hardey has been appointed to make a full report thereon.

CANALES, Chairman.

## REPORT OF COMMITTEE ON APPROPRIATIONS.

Committee Room,  
Austin, Texas, March 12, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Appropriations, to whom was referred House bill No. 92, have had same under consideration and I am instructed to report it back to the House with the recommenda-

tion that it do pass. Mr. Terrell has been appointed to make a full report thereon.

PEYTON, Chairman.

## REPORT OF COMMITTEE ON LABOR.

Committee Room,  
Austin, Texas, March 12, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Labor, to whom was referred House bill No. 94, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

TAYLOR, Chairman.

## REPORT OF COMMITTEE ON REFORMS IN CIVIL PROCEDURE.

Committee Room,  
Austin, Texas, March 12, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Reforms in Civil Procedure, to whom was referred House bill No. 97, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Williford has been appointed to make a full report thereon.

CARLOCK, Chairman.

## REPORTS OF COMMITTEE ON EDUCATION.

Committee Room,  
Austin, Texas, March 12, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred Senate bill No. 20, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

THOMASON of Nacogdoches, Chairman.

Committee Room,  
Austin, Texas, March 12, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred House bill No. 79, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

THOMASON of Nacogdoches, Chairman.



## REPORT OF JUDICIARY COMMITTEE.

Committee Room,  
Austin, Texas, March 11, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Judiciary Committee, to whom was referred House bill No. 67, have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass, with the following amendments:

Striking out everything before the enacting clause and substituting the following:

"An Act to create a Commission of Appeals, defining the powers and duties thereof; mode of appointment and the salary to be paid the members thereof; and for the appointment of its stenographers and porter, and providing extra pay for the clerk, and the furnishing of rooms for its use in the Capitol, and declaring an emergency."

Striking out everything after the enacting clause and substituting the following:

"Section 1. That a Commission of Appeals is hereby created and established to consist of six persons, having the qualifications now prescribed for judges of the Supreme Court, to sit in two sections of three each, to be styled Section A and Section B, and to be appointed by the Governor of this State, by and with the advice and consent of the Senate, if in session. They shall hold their offices from the first Monday in October, 1918, until the last Saturday in June, 1920, unless the Supreme Court shall catch up with and dispose of all the cases upon its cause docket prior to said time, in which event the term of the said judges composing the Commission of Appeals, shall automatically terminate, and shall be paid at the rate of five thousand dollars per annum during their term of office. In case of a vacancy on said Commission by death, removal, resignation or inability from any cause to act, it shall be the duty of the Governor to fill the same by appointment, subject to the approval of the Senate, if in session, and the person so appointed shall continue in office until the end of the term of the person whose vacancy he was appointed to fill. A majority of each section shall decide the matter or case referred to it.

"Sec. 2. The Supreme Court is hereby authorized and empowered to refer

to said Commission of Appeals any case or cases now or hereafter pending before said court for examination and report thereon. And it shall be the duty of said Supreme Court, in order to relieve the docket of said court of the great number of cases encumbering the same, from time to time, to refer to said Commission of Appeals, so many of said cases now or hereafter pending in said court as may be reasonably considered and acted upon by the same at the several sessions thereof. Provided, that when any case is referred by the Supreme Court to said Commission of Appeals, the counsel for both parties or the parties of themselves shall be entitled to notice, and shall have the right to be heard upon the same, although said cause may have been argued before the Supreme Court; which notice shall be given by registered letter sent by mail addressed to the parties or their attorneys of record; and six days after the mailing thereof said cause shall be ready for submission, and no other costs shall be incurred for serving said notice on said parties save the postage thereon. And said Commission of Appeals shall make rules regulating the hearing of causes submitted or referred to the same.

"Sec. 3. When said Commission of Appeals has considered and determined upon the proper disposition of any case referred to the same according to Section 2 of this act, their opinion, which shall contain a brief synopsis of the case, shall be submitted to the Supreme Court and the record shall be returned therewith.

"Sec. 4. Said Commission shall hold its sessions at the same time and place as the Supreme Court; provided, that the said Commission of Appeals shall continue their work during the vacation of the Supreme Court in mid-summer, subject, however, to the right of said judges of the Commission of Appeals to take a vacation not to exceed eight weeks during said period, and the duties of the clerk of said Commission shall be performed by the clerk of the Supreme Court, or his deputies, and no extra fees shall be allowed the clerk of the Supreme Court, or any deputy for services rendered said Commission, except twelve hundred (\$1200) dollars shall be allowed said clerk out of the fees of his office in addition to the compensation allowed him by law.

"Sec. 5. The opinions of said Commission in the cases so referred shall not be published in the records of the de-



cisions of the Supreme Court, nor shall the same have any further force or effect if approved by the Supreme Court, than to determine the particular causes wherein rendered and shall have no force or effect, or authority as precedent in other causes; said decisions to be approved by the Supreme Court.

"Sec. 6. Said Commission shall have a seal, being a star with five (5) points and the words 'Commission of Appeals of the State of Texas' around the same. Regular dockets and minutes of all proceedings by or before said Commission shall be kept and the records and proceedings thereof shall be entitled to the same verity as are records and proceedings of courts of record, and all cases shall be docketed in the order in which they are transferred or referred by the Supreme Court.

"Sec. 7. Said Commission shall have the right to issue writs of certiorari to perfect the record, and such process as the Supreme Court might issue to make parties, and shall have the power to punish for contempt.

"Sec. 8. All laws and rules regulating practice and procedure in the Supreme Court shall be of force in the practice and proceedings of said Commission so far as the same are applicable and all applications for rehearing in cases referred to said Commission by consent in writing shall be made before and determined by the Commission.

"Sec. 9. The sum of forty thousand (\$40,000) dollars, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for the payment of the salaries of the judges of said Commission.

"Sec. 10. Each section of said Commission may appoint a stenographer, who shall receive a salary of one hundred (\$100) dollars per month while in actual performance of his duties; and one porter shall be employed, who shall receive a salary not to exceed fifty (\$50) dollars per month during the session of the Commission.

"Sec. 11. This act shall become inoperative and the said Commission of Appeals shall cease whenever the Supreme Court shall fully catch up with the decision of the cases on its cause docket; provided such event occurs prior to the last Saturday in June, 1920.

"Sec. 12. The Superintendent of Public Buildings and Grounds shall provide suitable rooms in the Capitol for the use of the members of the Commission while

engaged in the discharge of their duties, as convenient to the Supreme Court rooms and the offices of the clerk thereof as can be arranged by him, and shall also suitably furnish such rooms for their use.

"Sec. 13. Whereas, the near approach of the close of the present session of the Legislature, and the limited time allowed to legislation, and an imperative public necessity exists for the suspension of the constitutional rule requiring bills to be read on three several days, and it is hereby enacted that said rule is suspended; and the fact that the accumulation of business in the Supreme Court is so great as to prevent, in ordinary course, that speedy determination to litigation which is essential to justice, creates an emergency that requires this act to take effect at once, and it is therefore enacted that this act shall take effect and be in force from and after its passage."

OSBORNE, Chairman.

#### REPORT OF COMMITTEE ON BANKS AND BANKING.

Committee Room,  
Austin, Texas, March 12, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Banks and Banking, to whom was referred House bill No. 46, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Sackett has been appointed to make a full report thereon.

FAIRCHILD, Chairman.

#### REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, March 11, 1918.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 65, A bill to be entitled "An Act creating the Follett Independent School District of Lipscomb county; providing for an election of board of trustees; and declaring an emergency,"

H. B. No. 60, A bill to be entitled "An Act creating and incorporating the Highland Independent School District in McLennan county, etc.,"

And find the same correctly engrossed.  
COX of Bee, Chairman.